

Message Text

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15

ACTION IO-13

INFO OCT-01 ISO-00 AF-06 ARA-06 EA-07 EUR-12 NEA-10 L-03

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TO SECSTATE WASHDC 6938

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E.O. 11652: N/A

TAGS: EGEN, UN, ECOSOC

SUBJ: 60TH ECOSOC: COVENANT ON ECONOMIC, SOCIAL, AND CULTURAL
RIGHTS, ITEM 4

1. AT ECOSOC WEO CAUCUS OF APRIL 15, THE CANADIAN REPRESENTATIVE POINTED OUT THE POSSIBLE NEED FOR ACTION BY THE COUNCIL TO CLEAR UP AN APPARENT DISCREPANCY CONCERNING THE HANDLING OF THE REPORTS BY STATES PARTIES TO THE INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL, AND CULTURAL RIGHTS. THE COVENANT ITSELF IN ARTICLES 16 AND 19 INDICATES THAT THE REPORTS SHALL BE TRANSMITTED TO THE COUNCIL AND THAT THE COUNCIL, IN TURN, MAY TRANSMIT THE REPORTS TO THE COMMISSION ON HUMAN RIGHTS. ON THE OTHER HAND, THE SECRETARY GENERAL'S REPORT ON HIS CONSULTATIONS CONCERNING THE FORMULATION OF PROCEDURES FOR THE COVENANT (E/5764) AND SPECIFICALLY PARAGRAPH 27(V) WOULD HAVE THE REPORTS TRANSMITTED DIRECTLY TO THE COMMISSION ON HUMAN RIGHTS. THE CANADIAN REPRESENTATIVE INDICATED THAT HER GOVERNMENT HAD DECIDED TO TAKE UP THIS SITUATION WITH APPROPRIATE SECRETARIAT STAFF MEMBERS IN GENEVA, INCLUDING MARC SCHREIBER. THE CANADIAN CONCERN APPEARS TO BE THAT THE COMMISSION ON HUMAN RIGHTS WOULD BE INUNDATED BY THE REPORTS. THE CANADIANS, THEREFORE, ARE CONTEMPLATING THE

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POSSIBILITY OF ESTABLISHING A SUB-GROUP OF THE COMMISSION

ON HUMAN RIGHTS OR OF ECOSOC TO RECEIVE AND EXAMINE THE REPORTS. THE FRG REP INTERVENED TO THE EFFECT THAT IT WAS THE POSITION OF HIS GOVERNMENT THAT THE REPORTS SHOULD BE EXAMINED ONLY BY STATES PARTIES TO THE COVENANT. THIS POSITION WOULD, THEREFORE, AFFECT HIS VIEW OF THE COMPOSITION OF THE REVIEWING BODY.

2. THE FRG INTERVENTION LED AMBASSADOR MYERSON TO STATE THE USG POSITION, I.E. THAT WE WOULD INSIST THAT NON PARTIES TO THE COVENANT BE ALLOWED TO TAKE PART IN THE REVIEWING EXERCISE GIVEN ECOSOC'S GOVERNING RESPONSIBILITIES. IN THE DISCUSSION THAT ENSUED, THE GROUP REACHED NO FIRM CONCLUSION ON THE QUESTION. THE DEPARTMENT MAY WISH TO CONSIDER THE MERITS OF HAVING ECOSOC OR THE CHR RECEIVE THE REPORTS SUBMITTED BY STATES PURSUANT TO THE COVENANT, OR OF SOME VARIANT AS SUGGESTED BY THE CANADIAN REPRESENTATIVE. THIS MATTER MAY BECOME AN ISSUE AT THE 60TH ECOSOC.
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